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15 Attorneys for Defendant  
 WYNDHAM VACATION OWNERSHIP, INC.

16 **UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **BOYCE GENE PRICE, an individual, and**  
 19 **SHAWN MURPHY, an individual,**

20 Plaintiffs,

21 vs.

22 **WYNDHAM VACATION OWNERSHIP,**  
**INC., and DOES ONE THROUGH**  
 23 **TWENTY, inclusive,**

24 Defendants

Case No.: C 13-05092 JD

**STIPULATION FOR DISMISSAL WITH  
 PREJUDICE AS TO ALL PARTIES;  
 [PROPOSED] ORDER**

Judge: Hon. James Donato

Complaint Filed: September 25, 2013  
 Removed: October 31, 2013  
 Trial Date: February 2, 2015

25 Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the parties,  
 26 through their designated counsel, hereby stipulate that the above-captioned action be and hereby  
 27 is dismissed with prejudice, as to all parties that have appeared in this action as well as all Doe  
 28

1 defendants. Each party will bear his or its respective costs and fees, in keeping with a  
2 confidential settlement agreement and general release executed by the parties on June 13, 2014.

3 The filing of this dismissal with prejudice terminates this action. *McCall-Bey v.*  
4 *Franzen*, 777 F.2d 1178, 1185 (7th Cir. 1985); see also *Garber v. Chicago Mercantile Exch.*,  
5 570 F.3d 1361, 1366 (Fed. Cir. 2009) – (action terminated upon filing of signed stipulation of  
6 dismissal, regardless of proposed dismissal order attached).

7  
8 Respectfully submitted,

9 Dated: July 1, 2014

LAW OFFICES OF RICHARD N. KOSS

10  
11 /s/ Richard N. Koss

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RICHARD N. KOSS, Attorney for Plaintiffs,  
BOYCE GENE PRICE and SHAWN MURPHY

13 Dated: July 1, 2014

JACKSON LEWIS P.C.

14  
15 /s/ Cara Ching-Senaha

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Cara Ching-Senaha  
Attorneys for Defendant  
WYNDHAM VACATION OWNERSHIP, INC.

17  
18 **ORDER**

19 The parties having so stipulated,

20 IT IS HEREBY ORDERED that this matter, including all parties and all claims,  
21 pursuant to the stipulation of the parties, is hereby dismissed with prejudice.

22 THIS CASE IS CLOSED.

23  
24 Dated: July 2, 2014

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27 

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Hon. JAMES DONATO  
United States District Judge